

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**  
Caption in Compliance with D.N.J. LBR 9004-1(a)

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*Counsel to 710 Route 38 ABL I Holdings, LLC*

In re:

EVERGREEN I ASSOCIATES, LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 21-17116 (CMG)

(Jointly Administered)

Judge: Christine M. Gravelle

Hearing Date: January 18, 2022  
at 2:00 p.m. ET

**NOTICE OF MOTION OF 710 ROUTE 38 ABL I HOLDINGS, LLC FOR  
(I) ADEQUATE PROTECTION PURSUANT TO 11 U.S.C. §§ 361 AND 363(e), AND/OR  
(II) RELIEF FROM THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(d)**

710 Route 38 ABL I Holdings, LLC (“Lender”) has filed papers with the court seeking entry of an order granting Lender adequate protection pursuant 11 U.S.C. §§ 361 and 363(e) and/or relief from the automatic stay pursuant to 11 U.S.C. § 362(d) (the “Motion”).

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<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of the Debtors’ taxpayer identification numbers are as follows: Evergreen I Associates, LLC (5258), Evergreen II Associates, LLC (5300), Evergreen III Associates, LLC (5332), and Evergreen Plaza Associates, LLC (5141).

**YOUR RIGHTS MAY BE AFFECTED. You should read these papers carefully and discuss them with you attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).**

**PLEASE TAKE FURTHER NOTICE** that if you do not want this court to grant this Motion, or if you want the court to consider your views, you or your attorney must file with the clerk at the address listed above, a written response explaining your position no later than 7 days prior to the hearing date.

Hearing Date: January 18, 2022

Hearing Time: 2:00 p.m. prevailing Eastern Time  
or as soon thereafter as counsel may be heard

Hearing Location: Before The Honorable Christine M. Gravelle  
United States Bankruptcy Court for the District of New Jersey  
Clarkson S. Fisher U.S. Courthouse  
402 East State Street  
Trenton, New Jersey 08608

Courtroom Number: Courtroom 3

**PLEASE TAKE FURTHER NOTICE** that objections, if any, to the relief requested in the Motion shall: (i) be in writing, (ii) state with particularity the basis of the objection, and (iii) be filed with the Clerk of the United States Bankruptcy Court electronically by attorneys who regularly practice before the Bankruptcy Court in accordance with the General Order Regarding Electronic Means for Filing, Signing, and Verification of Documents dated March 27, 2002 (the “General Order”) and the Commentary Supplementing Administrative Procedures dated as of March 2004 (the “Supplemental Commentary”) (the General Order, the Supplemental Commentary and the User’s Manual for the Electronic Case Filing System can be found at [www.njb.uscourts.gov](http://www.njb.uscourts.gov), the official website for the Bankruptcy Court) and, by all other parties-in-interest, on CD-ROM in Portable Document Format (PDF), and shall be served in accordance

with the General Order and the Supplemental Commentary, so as to be received no later than seven (7) days before the hearing date set forth above.

**PLEASE TAKE FURTHER NOTICE** that if you mail your response to the clerk for filing, you must mail it early enough so the court will receive it on or before 7 days prior to the hearing date.

**PLEASE TAKE FURTHER NOTICE** that you must also mail a copy of your response to:

Joseph L. Schwartz, Esq.  
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**PLEASE TAKE FURTHER NOTICE** that the Motion requests a waiver of the stay imposed by Bankruptcy Rule 4001(a)(3) and the order may be immediately effective.

**PLEASE TAKE FURTHER NOTICE** that unless objections are timely filed and served, the Motion shall be decided on the papers in accordance with D.N.J. LBR 9013-3(d), and the relief requested may be granted without further notice or hearing.

**PLEASE TAKE FURTHER NOTICE** that if you, or your attorney, do not take the steps outlined above, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the relief requested therein.

Dated: December 28, 2021

BENESCH, FRIEDLANDER, COPLAN  
& ARONOFF LLP

/s/ Kevin M. Capuzzi

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